

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

JOSEPH PALMISANO, JAY
HAJESKI, SEAN WALL, WALTER
EVERETT, and MATTHEW
MANIBUSAN individually and on
behalf of all other similarly situated,

Plaintiff,

v.

CROWDERGULF, LLC, BIL-JIM
CONSTRUCTION CO., INC., MAPLE
LAKE, INC., R. KREMER AND SON
MARINE CONTRACTORS, LLC,
ABC CORPORATIONS (1-100), DEF
CORPORATIONS (1-500), and JOHN
DOES (1-10), et al.,

Defendants.

BIL-JIM CONSTRUCTION CO.,
INC.,

Third-Party Plaintiff,

v.

TOWNSHIP OF BRICK,

Third-Party Defendants

Civil Action No.
3:17-cv-9371 (PGS)(TJB)

**ORDER DENYING
CLASS CERTIFICATION
WITHOUT PREJUDICE**

ORDER

This matter is before the Court on Plaintiffs' motion for class certification.

(ECF No. 110). The class certification is denied. Plaintiff defines the class as:

Any individual who performed work on either or both of the following projects and did not receive Prevailing Wages:

(1) as an Equipment Operator, Truck Driver, Laborer, Boat Operator, Deck Hand, or Mechanic, from May 2013 to December 2013, on the contract awarded by the State of New Jersey to CrowderGulf, LLC and/or

(2) as an Equipment Operator, Truck Driver, Laborer, or Mechanic, from October 2012 to May 2013, pursuant to a contract/project awarded by the Township of Brick to Bil/Jim Construction Co., Inc.

Pursuant to a prior Memorandum and Order (ECF No. 141 and 142), Defendants were granted summary judgment dismissing the Municipal Project referenced in paragraph 2 above. As such, the class cannot be certified.

Defendants have other reasons to deny class certification, but I have not addressed them herein. Defendants may present these other points if another motion for certification is filed.

IT IS on this 20th day of June, 2023;

ORDERED that the motion for class certification (ECF No. 110) is denied.

s/Peter G. Sheridan
PETER G. SHERIDAN, U.S.D.J.